

INSTRUCTIONS: FORM CH-100
Petition for Injunction Prohibiting Harrassment

The next three pages show a **Petition** which has been completed with examples of the kind of information a court is likely to want.

If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form.

If you do not want the defendant to know where you are living, you can use a friend's address and telephone number. Be sure you can be contacted with the information you put in this box.

County where you are filing your case. Call the county clerk if do not know the address.

Your full name.

The full name of the person you want the orders against.

Check this box if you are asking for orders to go into effect immediately when the Temporary Restraining Order is signed by the judge. You will also need to check the box at item 10 and give the necessary information.

Put an "X" in the box that applies in items 1, 2, and 3. You must check one box in each of those items.

Item 4 is the most important part of your petition. This information is all the judge will know about your case until the hearing. Give details of the most recent incidents.

See Instructions for Orders Prohibiting Domestic Violence if you are unsure which papers to file.

If you have so many facts they will not all fit, put an "X" in this box and write the facts on a separate piece of paper and attach it to the back of your petition, after page three. Use white paper the same size as this form.

The county clerk will give you this number. Use it on all forms you file later.

After this form is filed, the clerk will stamp this box on the copies so everyone knows it is a copy of an official paper. This is the place for the "Endorsed-Filed" stamp.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Terry Doe P.O. Box 500 Anytown, California 91234		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): In Pro Per SUPERIOR COURT OF CALIFORNIA, COUNTY OF Any county STREET ADDRESS: 100 Elm Street MAILING ADDRESS: P.O. Box 109 CITY AND ZIP CODE: Anytown, California 91235 BRANCH NAME:			
PLAINTIFF: Terry Roe DEFENDANT: Pat Roe			
PETITION FOR INJUNCTION PROHIBITING HARASSMENT <input checked="" type="checkbox"/> Application for Temporary Restraining Order		CASE NUMBER:	

(This is NOT an order)

Read the Instructions for Lawsuits to Prohibit Harassment before completing this form.

This suit is filed in this county because

1. a. ☐ defendant resides in this county
b. ☒ defendant has caused physical or emotional injury to me in this county.
c. ☐ other (specify):
2. This suit is not filed under the Domestic Violence Prevention Act, Family Law Act, or Uniform Parentage Act because
a. ☒ defendant and I are not married or formerly married or related by blood, marriage, or adoption, are not living together, have not lived together in the past six months, and have no minor child in common who is the subject of an action under the Uniform Parentage Act.
b. ☐ although plaintiff and defendant are married or related by blood, marriage, or adoption or have lived together, defendant's course of conduct has not included act of violence which resulted in physical injury to plaintiff or placed plaintiff in reasonable fear of imminent serious physical injury.
c. ☐ other (specify):
3. This suit is not brought under laws against unfair debt collection practices because
a. ☐ defendant does not claim plaintiff owes a debt;
b. ☒ defendant is not debt collector;
c. ☐ other (specify):

4. Defendant (name): Pat Roe, has committed a series of acts which seriously alarm, annoy, or harass me.
(Describe in detail the most recent incidents of harassment. State what happened, the dates, and who did what to whom.
Describe any injuries, including emotional distress): Defendant and I are former neighbors. Two months ago I had to move because defendant kept making threats against me and blocked my passage into my apartment. Since I've moved, defendant constantly follows me and phones me at all hours of the day and night. On November 15, 1986, defendant followed me to a restaurant where I was having dinner with a friend. Defendant kept calling me names and threatened to "get me." Defendant left before the police got there. On November 18, 19, and 20, 1986, defendant called me at work at least 15 times each day. I can't do my job because of the constant interruptions. I've had to go to the doctor for medicine to calm my nerves. I've lost weight and can't sleep at night.

(If more space is needed, attach additional pages and check this box:)

☐

(Page one of three)

Form Approved by the
Judicial Council of California
CH-100 (Rev. January 1, 1997)

PETITION FOR INJUNCTION PROHIBITING HARASSMENT

CCP 527.6

Fill this in.

Leave this blank.

PLAINTIFF (Name): Terry Doe	CASE NUMBER:
DEFENDANT (Name): Pat Roe	

(This is NOT an order)

5. I have actually suffered substantial emotional distress as a direct result of defendant's conduct described in item 4, and defendant's conduct would have caused a reasonable person to suffer substantial emotional distress.

6. Defendant's continuing course of conduct has been directed specifically against me and is knowing, willful, not constitutionally protected, and without legitimate purpose.

I REQUEST THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.

7. ☒ RESTRAINING ORDERS ☒ To be ordered now and effective until the hearing.

Defendant, who resides at (state address if known):

and works at (state address if known):

must not alarm, annoy, or harass plaintiff (name):

☐ and the following family and household members (names):

and specifically must

a. ☒ not threaten, strike, or make physical contact with plaintiff
☐ and the following family and household members (names):

b. ☐ not keep plaintiff under surveillance
☐ and the following family and household members (names):

c. ☒ not follow plaintiff
☐ and the following family and household members (names):

d. ☒ not telephone plaintiff
☐ and the following family and household members (names):

e. ☒ not block plaintiff's movements in public places or thoroughfares
☐ and the following family and household members (names):

8. ☒ STAY-AWAY ORDERS ☒ To be ordered now and effective until the hearing.

Defendant must stay at least (specify): 150 yards away from the following persons and places (the addresses of the places are optional and you do not have to reveal them):

a. Plaintiff
☐ and the following family and household members (names):

b. ☒ Plaintiff's residence (address optional):

c. ☒ Plaintiff's place of work (address optional): 315 Grove Street, Anytown, California

d. ☐ Plaintiff's children's school or place of child care (address optional):

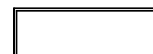
e. ☐ Other (specify):
(address optional):

(Continued on next page)

Put an "X" in the boxes that apply to your case. Leave the boxes empty if they do not apply to your case.

You do not need to give specific addresses in item 8. However, it may be easier for the police to enforce your orders if they know the defendant knows the addresses to stay away from.

Whenever you check these boxes, you are asking for the order to go into effect immediately, as soon as the TRO is signed by the judge. You will also need to check the box at item 10 and give the necessary information.



If you are asking for the orders to go into effect immediately, as soon as the judge signs the **TRO**, you *must* check this box and state the reasons. State what harm would result to you if the orders were not made immediately.

If you ask for attorney fees, bring receipts of bills for these fees to your hearing.

This space is where you ask for other orders you need. If you use this space, be sure to put in facts and dates in item 4 on page one of your **Petition** that would give the court a reason to order what you ask for here.

Most courts require that the defendant be served at least two days before the hearing, but some may require a longer time for service. The judge can shorten the time to two days before the hearing, and it is a good idea to ask for this when you think the defendant will be hard to find and serve.

Note: Fill in the **OSC** in the same way as your **Petition** except as follows:

1. Leave item 3 on the **OSC** blank. The county clerk or the judge will insert the date. Your hearing will be within 15 days after the filing of the **Petition**.
2. Do not date or sign the **OSC**.

You must check one of the boxes in item 9.

List all the agencies you may want to enforce your order. The court will either tell the clerk to mail copies of the orders to the agencies or direct you or your attorney (if you have one) to deliver them personally.

PLAINTIFF (Name): Terry Doe	CASE NUMBER:
DEFENDANT (Name): Pat Roe	

(This is **NOT** an order)

9. Will granting of any of the stay-away orders in item 8 deprive defendant of access to defendant's residence or place of employment?
☐ Yes ☒ No
If yes, please explain:

10. ☒ I will suffer great and irreparable harm before this petition can be heard in court unless the court makes those orders requested above effective now and until the hearing. (Specify the harm and why it will occur before the hearing):
If defendant isn't ordered to stop harassing me immediately, I will lose my job. My employer has threatened me with loss of my job because of the numerous phone calls defendant makes to me. I'm afraid to go anywhere because defendant keeps following me.

11. ☒ **ATTORNEY FEES AND COSTS**
Defendant should be ordered to pay attorney fees and costs as follows (specify):
Filing fee plus cost of service plus \$25.00 for a half hour consultation with an attorney. I will bring the bills and receipts to the hearing

12. ☐ **OTHER ORDERS** (specify other orders you request to help carry out the orders previously requested):

13. I request that copies of order be given to the following law enforcement agencies:

Law enforcement agency	Address
Anytown Police Department	100 Oak Street, Anytown, California 91234
Any County Sheriff Department	200 Jones Street, Anytown, California 91235

14. ☒ I request that time for service of the Order to Show Cause and accompanying papers be shortened so that they may be served no less than (specify number): two (2) days before the time set for the hearing. I need to have the order shortening time because of the facts contained in this petition. (Add additional facts if necessary):

I need this hearing as soon as possible. I have to stay with friends because I'm afraid to go home.

15. ☐ I have asked for restraining orders against defendant before.

16. I request additional relief as may be proper.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: November 21, 1986

Terry Doe	
(TYPE OR PRINT NAME)	(SIGNATURE OF PLAINTIFF)

17. ☐ Number of pages attached.

CH-100 [Rev. January 1, 1997]**PETITION FOR INJUNCTION PROHIBITING HARASSMENT**Page three of three

VERY IMPORTANT

1. The date you sign.2. Your signature.

DO NOT FORGET THESE OR ALL YOUR WORK WILL BE WASTED